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PATENT
ATTORNEY DOCKET NO.: 066575-0011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

| | | |
|--|---|-----------------------|
| In re Divisional Application of: |) | |
| |) | |
| T. D. RAY III |) | Confirmation No. 3833 |
| |) | |
| Divisional App. No. 10/673,146 |) | Art Unit: 3611 |
| |) | |
| Divisional Filing Date: September 30, 2003 |) | Examiner: G. C. HOGE |
| |) | |
| Parent App. No.: 10/180,084 |) | Customer No. 25269 |
| |) | |
| Parent Filing Date: June 27, 2002 |) | |
| |) | |
| For: CLEAN RELEASE MAGNET AND THE |) | |
| MANUFACTURING METHOD THEREOF |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

APPELLANT'S BRIEF UNDER 37 C.F.R. § 41.37

This brief is in furtherance of the Notification of Non-Compliant Appeal Brief dated March 12, 2007, and further to Applicant's representative's telephonic confirmation with Examiner Hoge that the Appeal Brief as modified and presented herein is acceptable, and further to the Notice of Appeal filed in connection with this application on November 21, 2005, and appealing the final rejection of claims 14-30 mailed May 20, 2005. The fees required under 37 C.F.R. § 41.20 (b)(2) are being filed concurrently herewith.

1. The Real Party in Interest

The real party in interest in this appeal is RayPress Corporation of 380 Riverchase Parkway East, Birmingham, Alabama 35244.

2. Related Appeals and Interferences

Appellant is not aware of any other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in this appeal.

3. Status of Claims

The status of the claims is as follows:

Claims canceled: 1-13 (per filing of Divisional Application)
Claims pending: 14-30
Claims withdrawn from consideration but not canceled: None
Claims allowed: None
Claims rejected: 14-30

The claims on appeal are 14-30.

4. Status of Amendments

Since the issuance of the May 20, 2005 Final Office Action, which was issued in response to an Amendment filed December 15, 2004, no further Amendments have been filed.

5. Summary of Claimed Subject Matter

As defined in independent claims 14 and 28, Appellant's invention relates generally to a method of manufacturing a clean release magnet.

With regard to independent claim 14, as shown in Figs. 1 and 6 (reproduced at right and on the next page), claim 14 recites a method of manufacturing a clean release magnet 10, (page 3, lines 13-26 and page 6, lines 9-18). The method includes the steps of printing information on a label layer (i.e. printed filmic face) 14 having adhesive on

at least one surface, thereby denoting a first layer, (page 6, lines 10-18). The method further includes the step of affixing a pressure sensitive carrier layer 11, having a clean release adhesive 13 on a first surface and an adhesive on a second surface, to a magnet layer 12, to thereby denote

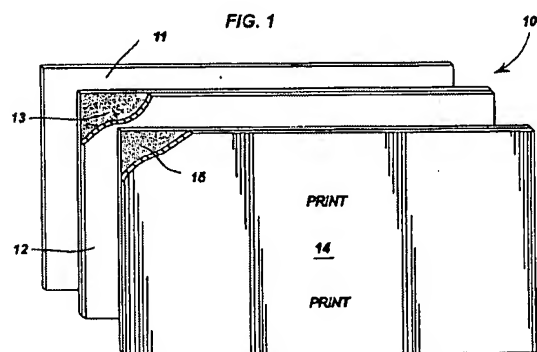


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a second layer, (page 6, lines 19-23). The method also includes the step of affixing the first layer to the second layer, adjacent magnet layer 12 (see Fig. 1), to thereby denote a third layer, and simultaneously cutting the third layer to a predetermined depth, (page 6, line 24 to page 7, line 10). Based on the aforementioned method, magnet layer 12 is non-tacky (or perhaps slightly-tacky) when removed from pressure sensitive carrier layer 11, (page 2, lines 22-24, page 3, lines 22-24). Moreover, once removed, a surface of magnet layer 12 is exposed when removed from pressure sensitive carrier layer 11 such that when the exposed surface is magnetically attached to a metal surface, the exposed surface directly contacts the metal surface, (page 5, lines 10-11).

With regard to independent claim 28, as shown in Figs. 1 and 6 (reproduced on the previous page and at right), claim 28 recites a method of manufacturing a clean release magnet 10, (page 3, lines 13-26 and page 6, lines 9-18).

The method includes the steps of providing a label layer 14 having adhesive on at least one surface, thereby denoting a first layer, (page 6, lines 10-18). The method further includes the step of affixing a pressure sensitive carrier layer 11, having a clean release adhesive 13 on a first surface and an adhesive on a second surface, to a magnet layer 12, to thereby denote a second layer, (page 6, lines 19-23). The method also includes the step of affixing the first layer to the second layer, adjacent the magnet layer 12 (see Fig. 1), to thereby denote a third layer, and simultaneously cutting the third layer to a predetermined depth, (page 6, line 24 to page 7, line 10). Based on the aforementioned method, magnet layer 12 is non-tacky (or perhaps slightly-tacky) when removed from the pressure sensitive carrier layer 11, (page 2, lines 22-24, page 3, lines 22-24). Moreover, once removed, a surface of the magnet layer 12 is exposed when removed from the pressure sensitive carrier layer 11 such that when the exposed surface is

FIG. 6

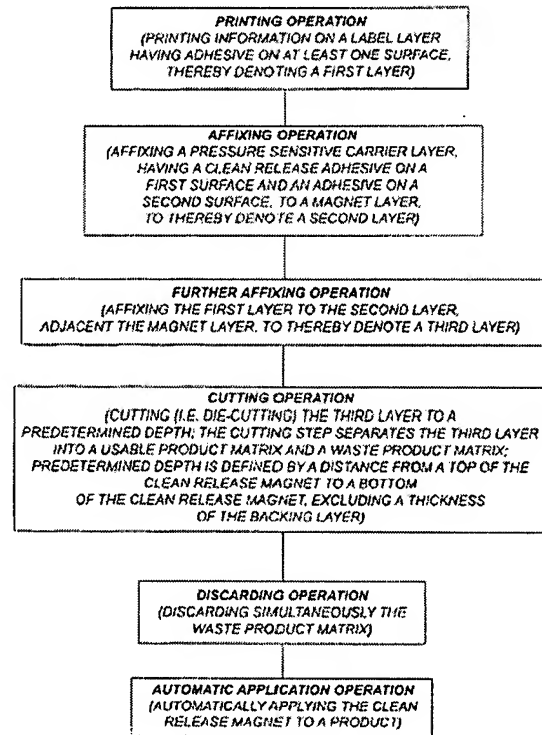


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magnetically attached to a metal surface, the exposed surface directly contacts the metal surface, (page 5, lines 10-11).

6. Grounds of Rejection to be Reviewed on Appeal

The claims on appeal (14-30) stand rejected under 35 U.S.C. § 103 (a) over the following prior art:

U.S. Patent No. 6,153,279 (*Charley*); and

U.S. Patent No. 5,641,116 (*Martin*).

The issue presented is whether claims 14-30 are unpatentable under 35 U.S.C. § 103 (a) over *Charley* in view of *Martin*.

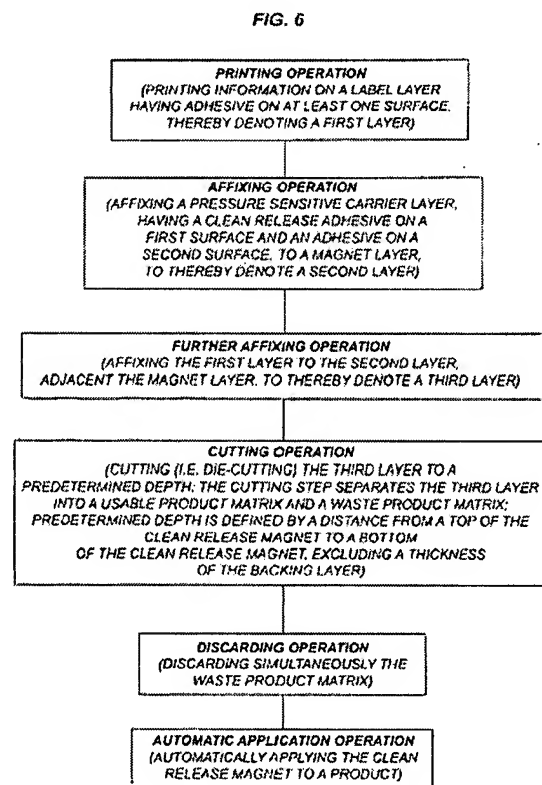
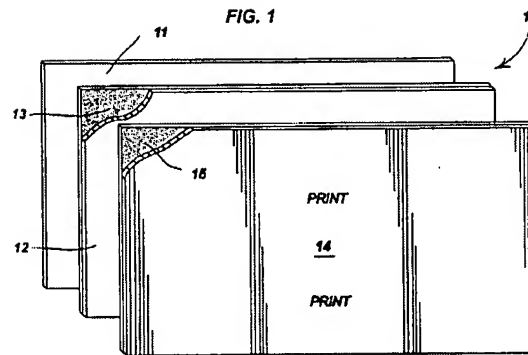
7. Argument

The rejection of independent claim 14, and claims 15-27, which depend therefrom, and independent claim 28, and claims 29 and 30, which depend therefrom, is improper and should be reversed.

In the Final rejection dated May 20, 2005, claims 14-30 were rejected under 35 U.S.C. § 103 (a), as being unpatentable over *Charley* in view of *Martin*. Appellant traverses the rejection of claims 14-30 for the following reasons.

Specifically, with regard to independent claim 14, Appellant respectfully asserts that *Charley* and *Martin*, whether viewed singly or in combination, do not teach or suggest a method of manufacturing a clean release magnet, the method including the steps of, “printing information on a label layer having adhesive on at least one surface, thereby denoting a first layer; affixing a pressure sensitive carrier layer, having a clean release adhesive on a first surface and an adhesive on a second surface, to a magnet layer, to thereby denote a second layer; and affixing said first layer to said second layer, adjacent said magnet layer, to thereby denote a third layer, and simultaneously cutting said third layer to a predetermined depth, wherein said magnet layer is one of non-tacky and slightly-tacky when removed from said pressure sensitive carrier layer, and a surface of said magnet layer is exposed when removed from said pressure sensitive carrier layer such that when said exposed surface is magnetically attached to a metal surface, said exposed surface directly contacts the metal surface,” as recited in independent claim 14.

Support for these features recited in claim 14 can be found at least in Paragraphs 21-25 and 29-39 of the originally filed specification, and in Figs. 1-4 of the originally filed drawings, and new Fig. 6. Specifically, as shown in Figs. 1 and 6 (reproduced at right), the present invention discloses a method of manufacturing a clean release magnet 10. The method includes the steps of printing information on a label layer (i.e. printed filmic face) 14 having adhesive on at least one surface, thereby denoting a first layer. The method further includes the step of affixing a pressure sensitive carrier layer 11, having a clean release adhesive 13 on a first surface and an adhesive on a second surface, to a magnet layer 12, to thereby denote a second layer. The method also includes the step of affixing the first layer to the second layer, adjacent magnet layer 12 (see Fig. 1), to thereby denote a third layer, and simultaneously cutting the third layer to a predetermined depth. Based upon the aforementioned method, magnet layer 12 is non-tacky (or perhaps slightly-tacky) when removed from pressure sensitive carrier layer 11. Moreover, once removed, a surface of magnet layer 12 is exposed when removed from pressure sensitive carrier layer 11 such that when the exposed surface is magnetically attached to a metal surface, the exposed surface directly contacts the metal surface.



Figs. 1 and 6 of 10/673,146

The May 20, 2050 Final Office Action cites *Charley* and *Martin* as teaching or suggesting the method as recited in independent claim 14 of the present invention.

Charley, as illustrated in Fig. 2 (reproduced at right) and discussed in Col. 2:25-67, discloses a method of forming a label having a flexible magnet provided therewith. The label 10 disclosed by *Charley* includes from top

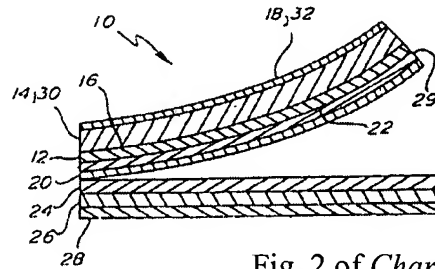


Fig. 2.

to bottom, a printed material layer 14 adhered to a top surface 16 of flexible magnet 12, magnet 12 further including bottom surface 22 adhered to clear base material 20 by means of solvent based adhesive 29. Label 10 further includes clear film 24 adhered to liner 28 by means of adhesive backing 26. In operation, as illustrated in Fig. 2 and discussed in Col. 2:56-67, clear base material 20 may be separated from clear film 24 by means of the chemical bonding between the two layers. Specifically, as discussed in Col. 2:58-62, it is stated that clear base material 20 and clear film 24 are formed of Technicote Magic Film™, which consists of two film layers that have been chemically bonded.

Appellant respectfully asserts that the chemical bonding provided by the Technicote Magic Film™ disclosed in *Charley* is by no means equivalent in structure or operation, nor is it an obvious substitute for the clean release adhesive layer recited in independent claim 14 of the present invention.

The Office Action thereafter cites *Martin* (U.S. Patent No. 5,641,116) as teaching the use of a clean-release. Specifically, as shown in Fig. 5 (reproduced below) of *Martin*, *Martin* discloses a card 100 including a spacer 32 removably attached to magnetic sheet material 24 by adhesive means 30, which is a repositionable non-permanent adhesive, (Col. 2:49-67). The particular embodiment of Fig. 5 is disclosed for use of the card as a mailer, (Col. 1:37-38).

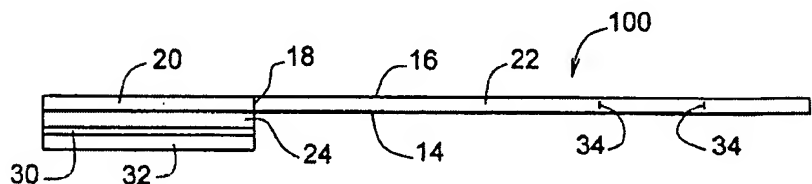


FIG. 5

Fig. 5 of *Martin*

Thus *Martin* clearly teaches that adhesive layer 30 is a “repositionable non-permanent adhesive.” In other words, the adhesive for adhesive layer 30 retains it’s adhesive properties, and therefore allows magnet layer 24 and/or spacer 32 to be repositioned (i.e. re-attached) to each other.

Contrary to the holding of the Final Office Action, Appellant respectfully asserts that one of ordinary skill in the art would not be motivated to combine the teachings of *Charley* and *Martin* to obtain the clean release label manufactured per the method of the present invention. Further, even if the teachings of *Charley* and *Martin* were to be combined as suggested, one of ordinary skill in the art would still not obtain the clean release label manufactured per the method of the present invention.

For example, whereas *Charley* discloses the use of releasably bonded film layers 20, 24 which can be separated to allow magnet 12 having film layer 20 bonded thereto to be magnetically attached to a surface, the use of layers 20, 24 is essential for *Charley* so as to allow magnet 12 to have a film layer with no exposed adhesive. In other words, as discussed in Col. 1:50-53 of *Charley*, an “object and advantage of the present invention is that when the magnet is removed from the substrate, there is no exposed adhesive on either the magnet or the substrate,” (Col. 1:50-53).

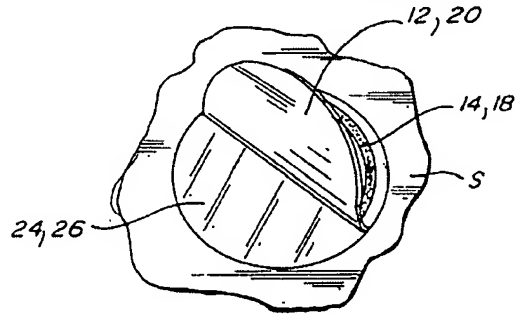


Fig. 1.

Accordingly, referring to Fig. 1 (reproduced at right) of *Charley*, *Charley* clearly teaches that the when magnet 12, having film layer 20 bonded thereto, is removed from film layer 24, there is no exposed adhesive on either the magnet or the substrate.

Contrary to the express teachings of *Charley*, as discussed above, *Martin* clearly teaches that the adhesive layer 30, as shown in Fig. 5 (reproduced at right) of *Martin*, is a “repositionable non-

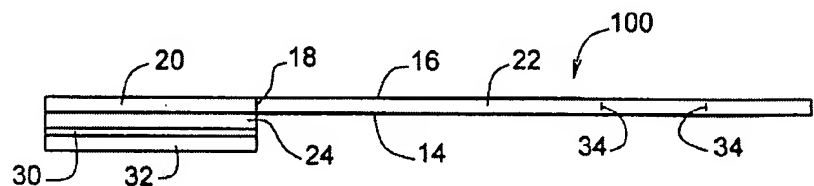


FIG. 5

Fig. 5 of *Martin*

permanent adhesive.” As also discussed above, the adhesive for adhesive layer 30 of *Martin* therefore retains its adhesive properties, and therefore allows magnet layer 24 and/or spacer 32 to be repositioned (i.e. re-attached) to each other.

Thus *Martin* clearly does not teach or suggest the use of a “clean-release adhesive” as positively recited in independent claim 14 of the present invention.

Appellant therefore respectfully asserts, that *Charley* and *Martin*, whether viewed singly or in combination as suggested in the Final Official Action, fail to teach or suggest the invention as recited in independent claim 14 of the present invention.

As pointed out in M.P.E.P. § 2143.03, “[t]o establish prima facie obviousness of a claimed invention, all the claimed limitations must be taught or suggested by the prior art”. *In re Royka*, 409 F.2d 981, 180 USPQ 580 (CCPA 1974). Since this criterion has not been met, Appellant respectfully asserts that the rejection under 35 U.S.C. § 103 (a) should be withdrawn because *Charley* and *Martin* do not teach or suggest each feature of independent claim 14.

In view of the above arguments, Appellant respectfully requests the rejection of independent claim 14 under 35 U.S.C. § 103 be withdrawn. Additionally, claims 15-27, which depend from independent claim 14, are allowable at least because their base claim is allowable, as well as for the additional features recited therein.

Independent claim 28

With regard to independent claim 28, Appellant respectfully asserts that *Charley* and *Martin*, whether viewed singly or in combination, do not teach or suggest a method of manufacturing a clean release magnet, the method including the steps of, “providing a label layer having adhesive on at least one surface, thereby denoting a first layer; affixing a pressure sensitive carrier layer, having a clean release adhesive on a first surface and an adhesive on a second surface, to a magnet layer, to thereby denote a second layer; and affixing said first layer to said second layer, adjacent said magnet layer, to thereby denote a third layer, and simultaneously cutting said third layer to a predetermined depth, wherein said magnet layer is one of non-tacky and slightly-tacky when removed from said pressure sensitive carrier layer, and a surface of said magnet layer is exposed when removed from said pressure sensitive carrier

layer such that when said exposed surface is magnetically attached to a metal surface, said exposed surface directly contacts the metal surface,” as recited in independent claim 28.

Appellant respectfully asserts that independent claim 28 is allowable at least for the reasons presented above for the allowance of independent claim 14, and the additional features recited therein. In the interest of avoiding redundant arguments, the reasons for allowance of independent claim 28 are not repeated herein. Additionally, claims 29 and 30, which depend from independent claim 28, are allowable at least because their base claim is allowable, as well as for the additional features recited therein.

Detailed Description

Should the Examiner or Board require a detailed description for a further understanding of the invention, in addition to the brief description provided in Section 5 “Summary of Claimed Subject Matter,” Appellant respectfully requests the Examiner or Board to read the description provided below on pages 9-14 of this Appeal Brief.

Specifically, as discussed in the original specification on page 1, lines 8-10, Appellant’s invention addresses a method of manufacturing a unique need in the industry to provide an improved label, having a magnet attached thereto, which may be efficiently and economically manufactured, and which may be adhered to a product and removed therefrom without damaging the product or obstructing the product label itself.

Magnetic labels are well known in the art and generally include advertising material printed on one side of label stock and a magnet permanently adhered to the other side, (page 1, lines 11-12). In use, magnetic labels are generally placed onto a metallic object and may serve the dual purpose of advertising a product, and securing paper and other such material underneath the magnetic label, (page 1, lines 12-14). Thus far, the usage potential of magnetic labels has been limited, in that the magnetic label typically requires a separate means of delivery to a customer than the advertised product itself, (page 1, lines 15-16). Moreover, if the magnetic label is affixed to an advertised product, removal of the label from the product in turn damages the product label itself, or may contaminate the product contents, (page 1, lines 17-18).

In the past, magnetic labels were generally manufactured by permanently adhering printed material onto a magnet and thereafter cutting the magnets to a desired size or shape, (page 1, lines 19-20). The conventional manufacturing methods of the past have had limited potential, in that once the magnetic labels have been cut, a seller generally has to separately distribute the magnetic label with each product, (page 1, lines 20-23). For products manufactured by the thousands or millions, such distribution requirements can significantly increase the overall cost of the product, (page 1, lines 23-24).

In order to overcome the noted manufacturing drawbacks, as shown in Fig. 1 (reproduced at right), the present invention provides a clean release magnet 10 including a clear pressure sensitive carrier layer 11 having a permanent adhesive (not shown) applied to the back surface thereof so as to enable permanent affixation of clean release magnet 10 onto any type of product or item, (see Paragraph 21). Clear pressure sensitive carrier layer 11 may alternatively have a clean release adhesive (not shown) applied to its back surface, instead of the permanent adhesive, (page 4, lines 16-21).

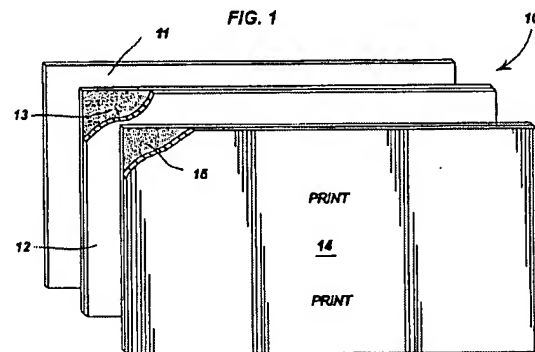


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As shown in Fig. 2 (reproduced at right), a flexible magnet 12 may be affixed to the clear pressure sensitive carrier layer 11 with a clean release adhesive 13, (page 4, lines 22-23). Clean release adhesive 13 allows flexible magnet 12 to be peeled off or removed from clear pressure sensitive carrier layer 11, without leaving a tacky or sticky residue on flexible magnet 12 or on the exposed surface of clear pressure sensitive carrier layer 11, (page 4, lines 23-26).

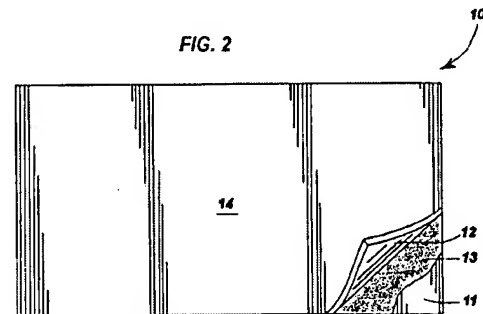


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Referring again to Fig. 1 (reproduced above), a printed filmic face 14 may be adhered to flexible magnet 12 with an adhesive layer 15 to allow for either removable or fixed attachment to flexible magnet 12, (page 5, lines 1-2). Printed filmic face 14 may be made of conventional label stock, such as plain paper, embossed or glossy paper, PVC (Polyvinyl Chloride), PET (Polyethylene Terephthalate), or Tyvek, (page 5, lines 3-4). Clear pressure sensitive carrier layer

11 may be substantially coextensive with flexible magnet 12 and/or printed filmic face 14 or instead may be substantially smaller than flexible magnet 12 and/or printed filmic face 14, (page 5, lines 4-7).

As shown next in Fig. 3 (reproduced at right), clean release magnet 10 may be permanently attached onto a product 16 by the permanent adhesive (not shown) on the back of clear pressure sensitive carrier layer 11, (page 5, lines 8-10). In use, clean release magnet 10 may be removed from product 16 and placed onto a metallic object (i.e. a refrigerator), (page 5, lines 10-11). As described above, it should be noted that when clean release magnet 10 is removed from clear pressure sensitive carrier layer 11, the back side of clean release magnet 10 and the front side of clear pressure sensitive carrier layer 11 are non-tacky, (page 5, lines 11-13).

Referring next to Fig. 4 (reproduced above), upon removal of clean release magnet 10 from product 16, any pre-printed label 17 on product 16 is visible through clear pressure sensitive carrier layer 11, (page 5, lines 14-15). Alternatively, if layer 11 is opaque or has printing thereon, clean release magnet 10 may be removed from product 16 to reveal the printing on layer 11, (page 5, lines 16-17).

In order to manufacture clean release magnet 10, referring to Figs. 1 and 6 (reproduced above and on the next page) advertising or promotional materials, may be printed on a continuous roll of pressure sensitive, self-adhering label material (not shown), denoting a first roll made of printed filmic face 14, which is placed on a first spindle (not shown), (page 6, lines 10-13). The label material may have a pressure sensitive backing layer (not shown) and, as described above, may be made of conventional label stock, such as plain paper, embossed or glossy paper, PVC (Polyvinyl Chloride), PET (Polyethylene Terephthalate), or Tyvek, (page 6, lines 13-15). The

FIG. 3

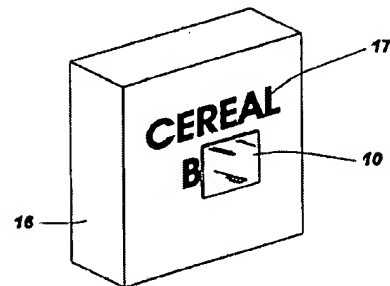


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FIG. 4

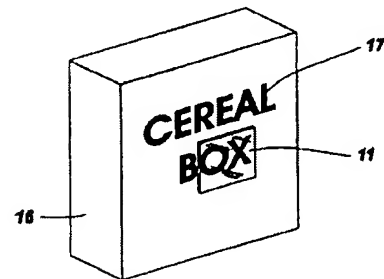


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FIG. 1

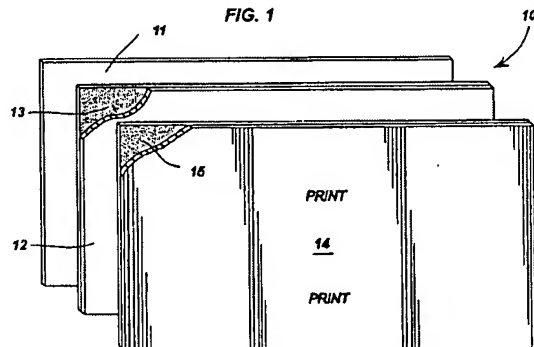


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label material may be retained on a roll (not shown) so as to be easily inserted into a machine (not shown) for subsequent processing, (page 6, lines 15-17). In the rolled configuration, the pressure sensitive backing on the label material may remain attached to the label material, (page 6, lines 17-18).

A roll of flexible magnet 12 and a roll of clear pressure sensitive carrier layer 11 having a backing layer (not shown), may be simultaneously fed through a machine so that flexible magnet 12 is affixed to the upper side of clear pressure sensitive carrier layer 11 by using clean release adhesive 13, (page 6, lines 19-22). The merged material may be re-wound onto a single roll, denoting a second roll, which is placed on a second spindle (not shown), (page 6, lines 22-23).

The rolls of printed filmic face 14 on the first spindle and flexible magnet 12 on the second spindle may then be simultaneously fed into the machine, (page 6, lines 24-25). As these rolls are fed into the machine, the pressure sensitive backing layer (not shown) on printed filmic face 14 is removed and printed filmic face 14 is applied to the top surface of flexible magnet 12 by virtue of adhesive layer 15 on printed filmic face 14, (page 6, lines 25-28). Thus, the rolls on the first and second spindles are "married" as they simultaneously go through the machine, (page 6, lines 28-29). As these rolls are fed through the machine, a calibrator (not shown) keeps register of the rolls, and the combination of materials described above on the "married" roll are also simultaneously die cut into desired shapes and sizes, (page 6, lines 29-31). The depth of the cut may extend through printed filmic face 14, flexible magnet 12 and clear pressure sensitive carrier layer 11 only, and not through the backing layer on clear pressure sensitive carrier layer 11, (page 6, line 31 to page 7, line 3). This cut divides the material of the "married" roll into a usable matrix and waste matrix, (page 7, lines 3-4). The waste matrix may be automatically stripped

FIG. 6

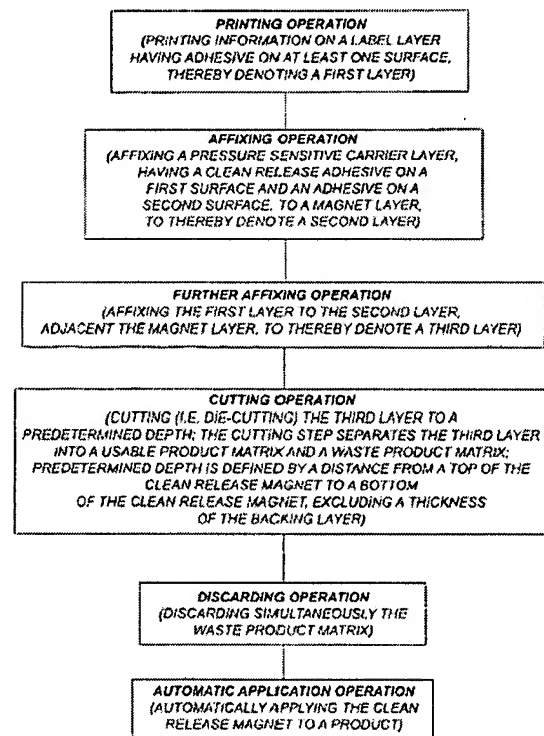


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and rewound onto a waste roll (not shown) and the usable matrix made of the newly die cut material, including flexible magnets 12 affixed to clear pressure sensitive carrier layer 11, may come off the machine on another roll (not shown), (page 7, lines 4-7). Thus, in a single step, the rolls of printed filmic face 14 on the first spindle and flexible magnet 12 on the second spindle may be simultaneously fed into the machine, and a roll of newly die cut material, including printed filmic face 14 affixed to flexible magnets 12, which is in turn affixed to clear pressure sensitive carrier layer 11, may be output from the machine, (page 7, lines 7-10).

Alternatively, instead of the single step discussed above, the first roll including printed filmic face 14 may be merged with and adhered to the second roll of flexible magnet 12 and clear pressure sensitive carrier layer 11 to form a third roll (not shown) of the combination of materials, (page 7, lines 11-14).

Next, the third roll may be re-fed into the machine to die cut the combination of materials, described above, into desired shapes and sizes, (page 7, lines 15-16). As the third roll is die cut, the depth of the cut may extend through printed filmic face 14, flexible magnet 12 and clear pressure sensitive carrier layer 11 only, and not through the backing layer, (page 7, lines 16-18). Thus the cut divides the material of the third roll into a usable matrix and waste matrix, (page 7, lines 18-19).

The newly die cut material may then be rewound to form a fourth roll (not shown) and any of the waste matrix may be automatically discarded, leaving the individual printed die-cut clean release magnets 10 affixed on the backing layer, (page 7, lines 20-22).

The clean release magnets 10 created on the fourth roll, or created on the roll formed in the single step described above, may then be individually applied by hand or by machine at a rapid rate, for example, to a customer's product 16 to firmly attach clean release magnet 10 by the self-adhesive back side of clear pressure sensitive carrier layer 11, (page 7, lines 23-26). If clean release magnets 10 are applied by machine, the backing layer may be removed as waste and discarded, (page 7, lines 26-

FIG. 3

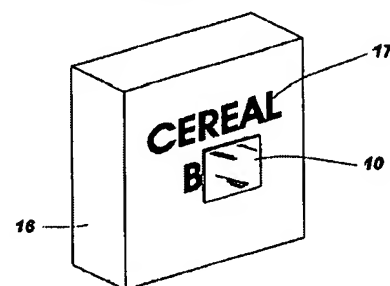


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FIG. 4

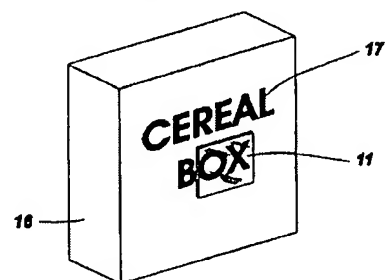


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27).

As described above and as shown in Figs. 3 and 4 (reproduced on the previous page), when clean release magnets 10 is removed from the consumer product 16, clear pressure sensitive carrier layer 11 is left on the product 16, (page 7, lines 28-30). The exposed surfaces of clean release magnet 10 and clear pressure sensitive carrier layer 11 are clear and non-tacky (of slightly-tacky) so that any pre-printed label 17 on product 16 is un-obsured, and product 16 and clean release magnet 10 are easy to handle, respectively, (page 7, line 30 to page 8, line 2).

8. Conclusion

In view of the foregoing, Appellant respectfully requests the reversal of the Examiner's rejections and allowance of the pending claims.

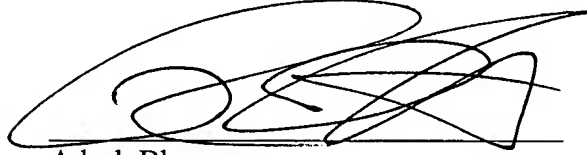
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 04-2223. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

DYKEMA GOSSETT PLLC

Dated: April 12, 2007

By:



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Reg. No. 46,553

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CLAIMS APPENDIX

1. (Cancelled)
2. (Cancelled)
3. (Cancelled)
4. (Cancelled)
5. (Cancelled)
6. (Cancelled)
7. (Cancelled)
8. (Cancelled)
9. (Cancelled)
10. (Cancelled)
11. (Cancelled)
12. (Cancelled)
13. (Cancelled)
14. (Previously Presented) A method of manufacturing a clean release magnet, said method comprising the steps of:

printing information on a label layer having adhesive on at least one surface, thereby denoting a first layer;

affixing a pressure sensitive carrier layer, having a clean release adhesive on a first surface and an adhesive on a second surface, to a magnet layer, to thereby denote a second layer; and

affixing said first layer to said second layer, adjacent said magnet layer, to thereby denote a third layer, and simultaneously cutting said third layer to a predetermined depth,

wherein said magnet layer is one of non-tacky and slightly-tacky when removed from said pressure sensitive carrier layer, and a surface of said magnet layer is exposed when removed from said pressure sensitive carrier layer such that when said exposed surface is magnetically attached to a metal surface, said exposed surface directly contacts the metal surface.

15. (Original) A method according to claim 14, wherein said adhesive on said second surface is one of a permanent adhesive and a clean release adhesive.

16. (Original) A method according to claim 14, wherein said label layer is self-adhering.

17. (Original) A method according to claim 14, wherein said label layer is at least one of plain paper, embossed or glossy paper, PVC (Polyvinyl Chloride), PET (Polyethylene Terephthalate) and Tyvek.

18. (Original) A method according to claim 14, wherein said magnet layer is one of flexible and rigid.

19. (Original) A method according to claim 14, wherein said pressure sensitive carrier layer is one of clear, opaque and having printing thereon.

20. (Original) A method according to claim 14, wherein at least one section of said pressure sensitive carrier layer is at least one of clear, opaque and has printing thereon.

21. (Original) A method according to claim 14, wherein said pressure sensitive carrier layer has a releasable backing layer affixed thereto.

22. (Original) A method according to claim 14, wherein said cutting is performed by die-cutting said third layer.

23. (Original) A method according to claim 14, wherein said cutting step separates said third layer into a usable product matrix and a waste product matrix, said method further comprising the step of discarding simultaneously said waste product matrix.

24. (Original) A method according to claim 21, wherein said predetermined depth is defined by a distance from a top of said clean release magnet to a bottom of said clean release magnet, excluding a thickness of said backing layer.

25. (Original) A method according to claim 14, further comprising the step of automatically applying said clean release magnet to a product.

26. (Original) A method according to claim 25, wherein said product is a postcard mailer.

27. (Original) A method according to claim 14, wherein said steps of printing, affixing said pressure sensitive carrier layer, affixing said first layer and cutting are automatically performed by a machine.

28. (Previously Presented) A method of manufacturing a clean release magnet, said method comprising the steps of:

- providing a label layer having adhesive on at least one surface, thereby denoting a first layer;

- affixing a pressure sensitive carrier layer, having a clean release adhesive on a first surface and an adhesive on a second surface, to a magnet layer, to thereby denote a second layer; and

- affixing said first layer to said second layer, adjacent said magnet layer, to thereby denote a third layer, and simultaneously cutting said third layer to a predetermined depth,

- wherein said magnet layer is one of non-tacky and slightly-tacky when removed from said pressure sensitive carrier layer, and a surface of said magnet layer is exposed when removed from said pressure sensitive carrier layer such that when said exposed surface is

magnetically attached to a metal surface, said exposed surface directly contacts the metal surface.

29. (Previously Presented) A method according to claim 28, wherein said adhesive on said second surface is one of a permanent adhesive and a clean release adhesive.

30. (Previously Presented) A method according to claim 28, further comprising the step of automatically applying said clean release magnet to a product.

Evidence Appendix (37 CFR 41.37(c)(1)(ix))

None

Related Appeals and Interferences Appendix (37 CFR 41.37(c)(1)(x))

None